

**Notice of Allowability**

Application No.

09/976,813

Applicant(s)

STULL ET AL.

Examiner

Art Unit

Prieto B.

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/14/07.
2. ☒ The allowed claim(s) is/are 12 and 14-16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Beatriz Prieto*  
**BEATRIZ PRIETO**  
PRIMARY EXAMINER



*Examiner's Comments/Amendments*

1. An Examiner's Amendment to the record appears below. Should the changes or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 C.F.R. § 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee.

2. (E) Examiner's Amendments (see MPEP 714 Amendments, Applicant's Action)

If a non-compliant amendment would otherwise place the application in condition for allowance, the examiner *may enter* the non-compliant amendment *and* provide *an examiner's amendment to correct the non-compliance* (e.g., an incorrect status identifier).

(A) provide a claim listing presenting all of the claims with the proper status identifiers in an examiner's amendment.

The examiner's amendment should include the reason why the amendment is non-compliant and indicate how it was corrected. Authorization from the applicant or attorney/agent of record and appropriate extensions of time are not required if the changes are not substantive (e.g., corrections of format errors or typographical errors). Such an examiner's amendment may be made after the time period for reply, or after the shortened statutory period without any extensions of time, as long as the non-compliant amendment was timely filed.

3. In this case, specifically, according to the above-mentioned provision:

(B) Markings to Show the Changes:

All claims being currently amended must be presented with markings to indicate the changes that have been made relative to the immediate prior version. **Only** claims of the status "**currently amended**" or "**withdrawn**" **will include markings**.

(C) Claim Text: The text of pending claims not being currently amended, including withdrawn claims, must be presented in clean version, i.e., **without any markings**. Any claim presented in clean version will constitute an assertion that it has not been changed relative to the immediate prior version except to omit markings that may have been

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present in the immediate prior version of the claims. A claim being canceled must be indicated as "canceled;" **the text of the claim must not be presented.** Providing an instruction to cancel is optional. Canceled and not entered claims must be listed by only the claim number and status identifier, without presenting the text of the claims. When applicant submits the text of canceled or not-entered claims in the amendment, the Office may accept such an amendment, if the amendment otherwise complies with 37 CFR 1.121, instead of sending out a notice of non-compliant amendment to reduce the processing time.

Also see 37 CFR 1.121 Manner of making amendments in application:

(3) When claim text in clean version is required. The text of all pending claims **not being currently amended** shall be presented in the claim listing in clean version, i.e., **without any markings** in the presentation of text. The presentation of a clean version of any claim having the status of "original," "withdrawn" or "previously presented" will constitute an assertion that it has not been changed relative to the immediate prior version, except to omit markings that may have been present in the immediate prior version of the claims of the status of "withdrawn" or "previously presented." Any claim added by amendment must be indicated with the status of "new" and presented in clean version, i.e., without any underlining.

(4) When claim text **shall not** be presented; **canceled a claim.**

(i) No claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered."

4. Claims have been amended via this Examiner's Amendment because of the informalities noted above. Applicant is urged to review carefully the claims for any error due to or introduced by the scanning of the claims.

5. This application is in condition for allowance except for the presence of claim 40-43

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directed to inventions nonelected without traverse according to response filed 3/28/06. Accordingly, claims 40-43 are hereby canceled.

6. **PLEASE AMEND CLAIMS AS LISTED BELOW**

7. Double patent analysis has been performed with respect to *issued patents* having common relationship of inventorship and/or ownership with respect to the above-allowed claims, *none* are found to warrant a double patenting rejection.

8. The following prior art made of record and considered pertinent to applicant's disclosure. References which whether the constitute prior art or do not qualify as prior art may be relied upon to show the level of ordinary skill in the art at or around the time the invention was made. The references may be relevant to establishing a motivation to combine which is implicit in the knowledge of one of ordinary skill in the art (see MPEP §2141.02).

Copies of Non-Patent Literature documents cited will be provided as set forth in MPEP§ 707.05(a):

(US 7,017,183) Frey et. al. discloses importing a second portal into another.

(US 2001/0047387) Brockhurst discloses an interface connecting data sources,  
and a portal including a plurality of data viewers accessing the data sources.

9. Any comments Applicants considers necessary must be submitted no later than the payment of the Issue Fee and to avoid processing delays, should preferable accompany the Issue Fees. Such submission should be clearly labeled " Comments on Statement of Reasons for Allowance". In event of any post-allowance papers (e.g. IDS, 312 amendment, petition, etc.), Applicant is exhorted to mail papers to the Production Control branch in Publications or faxed to post-allowance papers correspondence branch at (703) 308-5864 to expedite issuing process or call PUB's Customer Service if any questions at (703) 305-8497.

## CLAIM LISTING

1-11. (Canceled)

12. (Currently amended) [The system of claim 11,] A data management system comprising:  
an interface connecting the system to one or more data sources;  
at least one facility linked to the interface for managing the one or more data sources;  
at least one portal comprising a plurality of data viewers; and  
a state-save facility that rebuilds the data viewers in a subsequent session;  
wherein the system allows more than one portal to be viewed simultaneously;  
wherein each data viewer has access to one or more data sources and is  
configured to analyze data in the data sources and display the results of said analysis;  
wherein each portal and each data viewer has the ability to perform one or more of the  
following management features: create, save, open, edit, merge and destroy;  
wherein the system allows one or more data viewers from one portal to be merged into  
another portal;  
wherein the state-save facility comprises a facility for monitoring and recording data  
sources used by the data viewer to which each data source is associated; and  
wherein a portal is either open or closed [portals can be opened and closed] and  
information from the state-save facility is [can be] used to rebuild all of the data viewers  
associated with a particular portal by requering the data sources associated with said  
data viewers at the point in time in which the portal is reopened [restore the last state of a saved  
portal upon re-opening the portal].

13. (Canceled)

14. (Previously amended) The system of claim 12, wherein one or more data viewers from one portal can be merged into another portal in the same user session.

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15. (Previously amended) The system of claim 12, wherein one or more data viewers from one portal can be merged into another portal in different sessions of the same user.

16. (Previously presented) The system of claim 12, wherein one or more data viewers from one portal can be merged into another portal in a different session of a different user.

17-46. (Canceled)

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to B. Prieto whose telephone number is (571) 272-3902. The Examiner can normally be reached on Monday-Friday from 6:30 to 4:00 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Jack B. Harvey can be reached on (571) 272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system, status information for published application may be obtained from either Private or Public PAIR, for unpublished application Private PAIR only (see <http://pair-direct.uspto.gov> or the Electronic Business Center at 866-217-9197 (toll free)).

Any response to this action should be mailed to:

Box Issue Fee

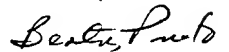
Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 746-4000, (Issue Fee and any Publication fee/payments) Or:

(703) 305-8283 (for checking on receipt of payment w/Publication)

B. Prieto  
Patent Examiner  
April 26, 2007

  
BEATRIZ PRIETO  
PRIMARY EXAMINER